

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6903

BILL NUMBER: SB 331

NOTE PREPARED: Feb 7, 2007

BILL AMENDED: Feb 6, 2007

SUBJECT: Funding for Emergency Dispatch Centers.

FIRST AUTHOR: Sen. Lawson C

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill provides that a county's share of hazardous waste disposal tax revenue may be used to pay costs associated with the construction, rehabilitation, and equipment of a facility used for a county public safety central dispatch or a county emergency operations center. The bill prohibits the county from using for those purposes in a calendar year an amount that exceeds 10% of the fund balance as of January 1 of the year.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Porter and Putnam Counties collect the hazardous waste disposal tax. For FY 2006 Porter received about \$38,000 from the tax, and Putnam received \$1.3 M. The bill prohibits the county from using for certain specified purposes an amount that exceeds 10% of the fund balance as of January 1 of the year. This restriction would allow Porter to use \$3,800 and Putnam to use \$130,000 for a county public safety central dispatch or a county emergency operations center. The proposal may change how the counties spend the revenue.

Background: Currently, counties may use the tax for the following purposes:

- (1) Establishing monitoring wells on land near the site of the disposal facility.
- (2) Analyzing samples from the monitoring wells.
- (3) Conducting other types of testing and surveillance for hazardous waste contamination of land

- near the disposal facility.
- (4) Providing training for county and local public health and public safety officers in the proper procedures for dealing with emergencies involving hazardous substances or hazardous waste.
 - (5) Providing special clothing and equipment needed by county and local public health and public safety officers for dealing with emergencies involving hazardous substances or hazardous waste.
 - (6) Funding research on alternatives to land disposal as a means of eliminating hazardous waste.
 - (7) Paying the cost of hazardous waste, hazardous substance, or solid waste removal and remedial action at a site located within the county.
 - (8) Meeting the county's requirements for the planning and implementation of a solid waste management district plan.
 - (9) Paying costs associated with the construction or rehabilitation of a facility used for training.
 - (10) Paying the costs associated with any other project that has identifiable environmental benefits.

Purposes set out in (1) through (7) must be fulfilled before revenue can be used for (8) and (9). The bill does not specify when revenue can be used for the new use relative to other uses.

Administration of the County Fund: The county fund is administered by the county treasurer, and the expenses of administering the fund are paid from money in the fund. Money in the fund not currently needed to meet the obligations of the fund may be invested in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund at the end of a particular fiscal year does not revert to the county general fund.

Rate: The tax is imposed on the disposal of taxable hazardous waste in a disposal facility in Indiana. The tax is \$11.50 per ton. The maximum liability of a taxpayer for the disposal of taxable hazardous wastes by underground injection during a calendar year is \$25,000.

The amount of tax for each ton of taxable hazardous waste that is generated outside of Indiana and disposed of in a disposal facility in Indiana is the greater of the amount prescribed for in-state facilities or the amount imposed on out-of-state hazardous waste by the state from which the taxable hazardous waste originated.

Operators of disposal facilities in which taxable hazardous waste is disposed are liable for the tax. Facilities pay the tax quarterly and file returns with the Department of Revenue.

Distribution: Seventy-five percent of the revenue produced by the tax is deposited in the Hazardous Substances Response Trust Fund, and 25% is paid to the county in which the disposal facility is located.

Explanation of Local Revenues:

State Agencies Affected: Department of State Revenue.

Local Agencies Affected: Porter and Putnam Counties.

Information Sources: Department of Revenue.

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